

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia
Savannah Division

2008 SEP 23 AM 11:02

United States of America)

v.)

Herman Felix Williams)

Case No: CR498-00106-002

USM No: 09877-021

Date of Previous Judgment: January 13, 1999

Joshua Lowther

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 30

Amended Offense Level: 30

Criminal History Category: II

Criminal History Category: II

Previous Guideline Range: 108 to 135 months

Amended Guideline Range: 108 to 135 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

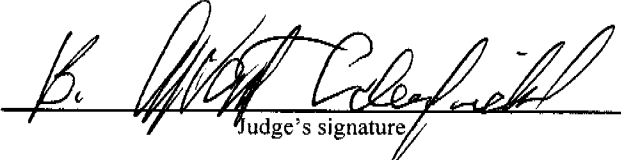
III. ADDITIONAL COMMENTS

The defendant is presently serving a period of incarceration based on the revocation of his term of supervised release. Pursuant to U.S.S.G. § 1B1.10, Application Note 4(A), only a term of imprisonment imposed as part of the original sentence is authorized to be reduced. This section does not authorize a reduction in the term of imprisonment imposed upon revocation of supervised release. Further, the Court has concluded that an attorney does not need to be appointed in this matter.

Except as provided above, all provisions of the judgment dated January 13, 1999, shall remain in effect.

IT IS SO ORDERED.

Order Date: 9-23-08


Judge's signature

Effective Date:
(if different from order date)

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia
Printed name and title